IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Bail Appl..No. 5061 of 2007()

CMP.2324/2007 of J.M.F.C.-II,HOSDRUG

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CRIME NO.28/2007 OF NILESHWAR EXCISE RANGE

PETITIONER/ACCUSED

B.BALAKRISHNAN, AGED 38 YEARS,
S/O.K.AMBADI, MULAYIPALLI DESOM,
MADIKAI VILLAGE, HOSDURG TALUK,
KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING EXCISE INSPECTOR, NILESHWAR RANGE.

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5061 of 2007

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Dated this the 20th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sec.55(g) of the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 20 litres of wash on 3.08.2007. The petitioner was arrested and he continues in custody from that date. The learned Public Prosecutor submits that there is no criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigating Officer is given reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate conditions. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 25.08.2007. The Investigators shall in the

meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of his release and thereafter as and when directed directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE